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MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

Express Mail No.: EV 196632707 US

Attorney Docket No.: 2002645-0030

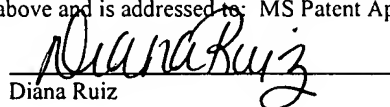
Date Filed: March 19, 2004

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EV 196632707 US

Date of Deposit: March 19, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as "*Express Mail Post Office to Address*" service under 37 CFR 1.10 on the date indicated above and is addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Diana Ruiz

UTILITY PATENT APPLICATION TRANSMITTAL (for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle)

Family Name or Surname

Residence (City and State or Foreign Country)

Thomas

Leustek

Union, New Jersey

Yuying

Luo

Highland Park, New Jersey

Title of the Invention **IMPROVED PLANT TRANSFORMATION**

A) APPLICATION ELEMENTS:

- 1) ☐ **Fee Transmittal Form** (original and duplicate submitted for fee processing)
- 2) ☒ **Applicant Claims Small Entity Status** (see 37 CFR §1.27)
 - a) ☐ **Statement Verifying Small Entity Status** (optional)

Attorney Docket No.: 2002645-0030
Express Mail No. EV 196632707 US
Date of Filing: March 19, 2004
Customer Number: 24280
3669503_1.DOC

3) ☒ **Specification**

TOTAL PAGES: 44

- Cover Page
- Background
- Summary
- Brief Description of the Drawing
- Definitions
- Detailed Description of Certain Preferred Embodiments
- Exemplification
- Claim(s) (5 pages)
- Abstract of the Disclosure (1 pg.)

4) ☒ **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 3

- a) ☐ Formal Drawings (if checked)

5) ☒ **Oath or Declaration**

TOTAL PAGES: 3

- a) ☐ Newly Executed (original or copy)

- b) ☐ Copy from a prior application (37 C.F.R. § 1.63(d))-for continuation/divisional application.

- i) Deletion of inventor(s): signed Statement deleting inventor(s) named in the prior application, see C.F.R. §§ 1.63(d) (2) and 1.33(b).

- c) ☒ Unexecuted

6) ☐ **Application Data Sheet.** See 37 CFR § 1.76.

7) ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**

8) ☐ **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)

- a) ☐ Computer Readable Form (CRF)

- b) ☐ Specification Sequence Listing on:

- i) ☐ CD-ROM or CR-R; or

- ii) ☐ Paper

- c) ☐ Statement under 37 C.F.R. § 1.821;

- d) ☐ Amendment Introducing Sequence Listing

B) ACCOMPANYING APPLICATION PARTS:

- 9) ☐ Assignment Papers (Cover Sheet and Document(s));
- 10) ☐ 37 C.F.R. § 3.73(b) Statement (when there is an assignee);
- 11) ☐ Power of Attorney;
- 12) ☐ English Translation Document (if applicable)
- 13) ☐ Information Disclosure Statement (IDS)/PTO-1449
- 15) ☐ Copies of IDS Citations
- 16) ☒ Return Receipt Postcard (MPEP 503) (specifically itemized)
- 17) ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- 18) ☐ OTHER: (if applicable, specified below)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

☒ CONTINUATION ☐ DIVISIONAL ☐ CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: NYA (PCT/US _____)

FILED: MARCH 18, 2004

EXAMINER: NYA

GROUP/ART UNIT: NYA

FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: THE ENTIRE DISCLOSURE OF THE PRIOR APPLICATION IS CONSIDERED A PART OF THE DISCLOSURE OF THE ACCOMPANYING CONTINUATION OR DIVISIONAL APPLICATION AND IS HEREBY INCORPORATED BY REFERENCE.

D.) PRIORITY CLAIM(S):

This application claims the benefit under Title 35, U.S.C., §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)</u>
NYA (PCT/US _____)	March 18, 2004	Pending
Title: Improved Plant Transformation		
Inventor: Leustek, et al.		
Express Mail No. EL 993748265 US		

This application claims the benefit under Title 35, U.S.C., §119(e) of any United States provisional application(s) listed below:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)</u>
60/455,482	MARCH 18, 2003	PENDING

E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

- ☒ Applicant claims small entity status 37 CFR §1.27.
- ☒ A check for \$ is enclosed to cover the filing fees.
- ☒ The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number 03-1721.

Basic Filing Fee (<u>SMALL</u> Entity)	\$385.00
Additional Fees:	
Total Number of Claims in excess of 20: (<u>38</u> - 20)= 20 x \$9	\$162.00
Number of Independent Claims in excess of 3:(<u>3</u> - 3) x \$43	\$43.00
Multiple Dependent Claims - (\$290):	\$0.00
Total Filing Fee:	<u>\$590.00</u>

F) THE INVENTION WAS MADE BY AN AGENCY OF THE UNITED STATES GOVERNMENT OR UNDER A CONTRACT WITH AN AGENCY OF THE UNITED STATES GOVERNMENT:

- ☒ NO
- ☐ YES, THE NAME OF THE U.S. GOVERNMENT AGENCY AND THE GOVERNMENT CONTRACT NUMBER ARE :

G) CORRESPONDENCE ADDRESS:

Patent Department
Choate, Hall & Stewart
53 State Street
Exchange Place
Boston, Massachusetts 02109
Phone: 617-248-5000
Facsimile: 617-248-4000

Respectfully Submitted,

Date: March 19, 2004



Stacy Blasberg, Reg. No. 52,625